

SENATE BILL NO. 150

BY SENATOR ADLEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 40:1300.57, relative to criminal history checks on nonlicensed persons and
3 licensed ambulance personnel; to provide with respect to an authorized agency; to
4 provide for the application and requirements for approval as an authorized agency;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1300.57 is hereby enacted to read as follows:

8 **§1300.57. Application to be approved as an authorized agency**

9 **A. An individual or business entity seeking approval as an authorized**
10 **agency shall submit an application to the Louisiana Bureau of Criminal**
11 **Identification and Information along with the following documents to prove the**
12 **individual's or business entity's qualifications:**

13 **(1) The applicant must be currently licensed in the state of Louisiana as**
14 **a private investigator or detective by the Louisiana State Board of Private**
15 **Investigator Examiners as evidenced by current and valid licensure issued by**
16 **the Louisiana State Board of Private Investigator Examiners, or an individual**
17 **employed by a business entity domiciled in the state of Louisiana and registered**
18 **and in good standing with the secretary of state at the time of application whose**
19 **primary source of business is background screenings.**

1 **(2) The applicant must not currently be charged by bill of information**
2 **or under indictment for, or have been convicted of, any felony offense in this**
3 **state or any other jurisdiction and shall submit to a background investigation**
4 **to determine that this requirement is met.**

5 **(3) The applicant shall be domiciled in the state of Louisiana and shall**
6 **present proof of qualification to do business within the state of Louisiana, as**
7 **evidenced by a valid certificate of authority issued by the secretary of state, and**
8 **designation of an agent for service of process as required by law. If the**
9 **applicant is operating as a sole proprietorship, a current and valid occupational**
10 **license shall be presented.**

11 **(4) The applicant shall execute a written agreement whereby he agrees**
12 **to maintain the confidentiality of any and all information provided to it by the**
13 **Louisiana Bureau of Criminal Identification and Information pursuant to R.S.**
14 **40:1300.51 et seq., abide by all applicable laws, rules and regulations pertaining**
15 **to receipt and use of criminal history information, cooperate in any auditing**
16 **procedure conducted by the Louisiana Bureau of Criminal Identification and**
17 **Information, and inform the Louisiana Bureau of Criminal Identification and**
18 **Information in writing of any known violations regarding the use of criminal**
19 **history information he receives.**

20 **B. Upon receipt of a completed application for approval as an**
21 **authorized agency, the Louisiana Bureau of Criminal Identification and**
22 **Information shall review the application and conduct whatever investigation it**
23 **deems necessary to verify the information. Upon completion of this review, the**
24 **Louisiana Bureau of Criminal Identification and Information shall inform the**
25 **applicant in writing of its approval or denial of the application and, in the case**
26 **of denial, the reasons for such denial.**

27 **C. Each authorized agency shall maintain the eligibility requirements**
28 **to be approved as an authorized agency. Each authorized agency shall notify**
29 **the Louisiana Bureau of Criminal Identification and Information in writing of**
30 **a change in its qualification requirements within fifteen days of the change.**

1 Failure to continue to maintain the eligibility requirements shall result in
2 cancellation of approval as an authorized agency.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____